

REMARKS

Claims 1-6 are currently pending. Claim 1 has been amended.

In the Advisory Action of July 21, 2005, the Office stated: "Examiner interprets the claim language in its broadest reasonable interpretation in view of the specification and in this case the limitation 'adopting only bits having measured value beyond a threshold value which is predetermined' is interpreted as adopting a key string if an error rate doesn't [exceed] a tolerable rate that is predetermined." First, Applicants respectfully request that the original language of claim 1 could not be properly interpreted this way using common canons of claims construction including the grammar used (grammatically one would have to say "bit strings" instead of "bits" to be interpreted as the Office suggests. Also, the fact that this type of error checking is recited in claim 2, and hence claim 1 should not be interpreted as meaning the same thing under the Doctrine of Claim Differentiation.

However, further clarifying the original scope of the claim does not pose a problem, and the phrase in question has been changed to "the second user adopting only bits, on a bit-by-bit basis, having the measured value beyond the threshold value which is predetermined" to avoid any concerns. With this change, it is assumed that the outstanding rejection will be withdrawn for reasons already of record.

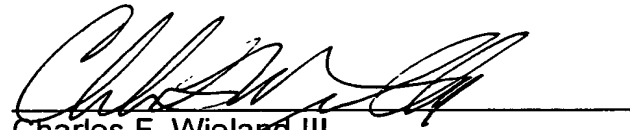
In light of the foregoing, Applicant respectfully requests reconsideration and allowance of the above-captioned application. Should any residual issues exist, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 1, 2005

By:


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